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SUMMARY RECORD OF EIGHTH MEETING OF
QUADRIPARTITE WORKING GROUP ON GERMANY AND BERLIN
MARCH 2, 1960

Participants:France

Mr. Winckler
 Mr. Manet

Germany

Mr. Pauls
 Mr. Osterheld

United Kingdom

Viscount Hood
 Mr. Logan

United States

Mr. Hillenbrand
 Mr. Vigderman
 Mr. Kearney
 Mr. McKiernan
 Mr. Dean

Defense - Col. Schofield

Mr. Hillenbrand opened the meeting with a suggestion that the Quadripartite Group might give consideration to the next more intensive phase of its preparations immediately prior to the April meeting of the Foreign Ministers. The Quadripartite Group would be expected to make a report to the Foreign Ministers containing its recommendations or questions to be resolved by them for further guidance. Since the Foreign Ministers would be meeting in mid-April, he would like to suggest April 4 as the beginning of the more intensive phase. Experts from foreign offices could then continue on through the Foreign Ministers meeting rather than making two trips to Washington. Mr. Hillenbrand requested comments on this tentative schedule for the next meeting of the Quadripartite Group. He suggested that consideration of the report to NATO be postponed to the following week; it might mention the new revised tempo of activity. He then suggested that the Group continue its discussion of last week on the French paper on a hypothetical new status for Berlin. Mr. Pauls and Lord Hood said they had no further comment on the paper (II WAG/1.2).

Mr. Hillenbrand said it was difficult to comment on the French paper since it discussed the disadvantages and advantages of a new status for Berlin without specifying what that new status might be except that it presumably would not be based on the present juridical status. Nevertheless, it might be useful for the Working Group to draw up a list of pros and cons covering variations in the present Berlin status. There were obviously

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CONFIDENTIAL

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CONFIDENTIAL

-2-

many disadvantages to a new status, but we were not sure they were precisely as stated in the French paper. We had already pointed out that the French view regarding the automatic nullification of the NATO guarantee was not completely accurate. With regard to the French point that a new statute would finalize the division of Greater Berlin, it was clear that in a de facto sense it would add little to the status quo. In the de jure sense the French point was true from the Western point of view, though not from the Soviet viewpoint since they maintain that all of Berlin is basically a part of Western Germany. The terms of the new arrangement would determine the degree of participation of the GDR to which it would lead and to a degree of recognition involved; this was not automatic as implied by the French paper. Conversely, the situation now faced by us under which the Soviets might turn over their access and other controls to the GDR would involve the same de facto problem. Though it could be conceded that such a new statute cannot bring additional security to the city, it is not quite accurate to say, as does the French paper, that its duration would depend on Soviet good will. Such good will has not been present in the Soviet attitude on Berlin nor is it likely to be present. The question is really whether a new agreement would be more likely to be observed by the Soviets over a period of time under the present arrangement. This is a point which could be argued but not in the abstract. Contrary to the contention of the French paper, justification for the presence of allied troops in Berlin would be removed only if their continued presence were not specifically provided for under the new arrangement. One basis for their presence would be substituted by another. On the other side of the question there were other more important disadvantages which the paper did not mention such as the negative effects of a new arrangement on the population of Berlin, the setting into motion of an erosive trend which could weaken the Western position beyond the literal terms of any new arrangement, and the fact that such arrangement might be considered by world opinion as a Soviet success in enforcing a change in the status quo under duress. However, assessment of advantages and disadvantages could really only be measured in terms of the content of the specific agreement. One could envisage a theoretical new agreement which could certainly contain a preponderance of advantage for us though we are unlikely to get such an agreement from the Soviets. Mr. Hillenbrand noted that these conclusions argued for the virtues of the U.S. approach in defining minimum requirements for Berlin. We would submit a redraft of our paper on this subject next week. This paper was to be considered part of a necessary intellectual exercise in the Working Group and not an expression of U.S. policy.

Mr. Winckler submitted a new paper (II WAG/1.12) in elaboration of the French paper on a hypothetical new status for Berlin (II WAG/1.2). He said the French thought in general that a new status for Berlin might look good but its advantages would not be lasting. Its first advantage might be that it would appear to meet the Soviets halfway and would agree to abolition of the occupation status. Theoretically, any Western proposal of this type would facilitate compromise with the Soviets on Berlin. Yet, the French

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By HC NARA Date 7/5/91

felt the Soviets would continue to insist in the summit negotiations on their "free city" concept and would ask for still further concessions. The result could be that the summit meeting might not reach agreement on Berlin with a further handicap that the West would no longer have a firm legal basis for its position in Berlin. Another theoretical advantage for a new status would be that it would gain time and avoid a crisis, yet it was the French view that the time gained would not be great and that a new and more important crisis would surely follow. Though the unity of the City of Berlin was a fiction, the Western powers had an interest in maintaining, in sense it was the basis on which the idea of Four-Power responsibility for the city rested. Recognition by the Western powers of the division of the city would mean their recognition that East Berlin was under the sovereignty of the GDR and thus would be a further step towards recognition of the regime. Furthermore, if the division of the city were formally recognized through a new statute, it would be difficult for the Western powers to demand elections for all of Berlin in order to reconstitute the all-Berlin government.

Mr. Winckler questioned the validity of the NATO guarantee under these circumstances. Mr. Kearney noted that the American view was that as long as we had troops in Berlin the NATO guarantee covered the area. Mr. Winckler said that a new statute would not give Western troops authority to act for maintenance of public order and that there was no reason why Western forces should not be replaced by any other forces -- UN, neutral, or other. The new statute would result in greater rather than in lesser dependence on the will and intentions of the Soviets if the agreement had to be renewed at periodic intervals. The French paper did not include the psychological consequences arising from a change in status on the Berlin and West German population, but this is a very important factor which must be taken into consideration.

Mr. Hillenbrand noted that these points would be helpful in the Working Group report. The device of a pro and con analysis was a useful one for conveying information and would not be so harmful in the event of leaks. The Foreign Ministers were entitled to an analysis of the situation from the Working Group covering broad categories of possibilities together with their pros and cons. Lord Hood said he thought the French paper overated the theoretical objections to a new Berlin status. The real problem arose from practical difficulties such as the difficulty of Soviet acceptance of an improved status. Mr. Winckler said that if a new status contained such elements as indefinite duration and no participation of the GDR, it could be an improvement. He agreed with Mr. Hillenbrand's remark on the Working Group report. Mr. Hillenbrand said he would like to present his personal views on the possible organization of such a report. It might include an up-to-date restatement of Soviet intentions taking account of the de Gaulle-Khrushchev conversations and other developments, a section on principles and minimum requirements for a Berlin solution, a statement or description of the types of solution possible with the arguments for and against these various

possibilities,

CONFIDENTIAL

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By LCB NARA Date 7/5/91

CONFIDENTIAL

-4-

possibilities, to be followed by conclusions and recommendations for questions and consideration by the Foreign Ministers arising from these earlier sections, and a preliminary discussion of possible tactics. Finally, it could include a summary of background papers prepared by the Working Group for information and rebuttal purposes for the Western summit participants. Past working groups had tended to submit overly long reports and it might be desirable to have a short covering paper which might really be read. He asked for suggestions of other participants on this topic and noted that if it proved acceptable some of the drafting along this line might start prior to the period of intensive preparation which could then take place at least on the basis of preliminary texts. Mr. Pauls and Lord Hood agreed with this approach.

Mr. Pauls said he agreed with Mr. Winckler's analysis of the possible advantages and disadvantages of a new status for Berlin except for the point on the continued validity of the NATO guarantee where he agreed with the U.S. and U.K. versions that the guarantee depended on the presence of Western forces in the city rather than on the occupation statute itself. Mr. Pauls tabled a German paper on the dangers of an interim agreement on the basis of the Geneva proposals of July 28, 1959 (II WJQ/L.13). He noted that it might be a possible Soviet compromise tactic to offer an interim agreement on Berlin but the German side considered that this would merely postpone the Soviet goals which, as Khrushchev had pointed out during his recent visit in Indonesia, was to place West Berlin under control of the GDR. Acceptance of a Berlin agreement containing a time limitation would have dangerous effects which would outweigh its temporary advantages. Lord Hood and Mr. Hillenbrand asked to delay further comment on this German paper since it raised questions of basic policy. Mr. Pauls agreed that it did so but suggested that the questions were ones which should be cleared up at some point before work progressed much further. Mr. Pauls asked Lord Hood if he understood correctly from his remarks at the last meeting that it was the British view that it would be possible, while maintaining the present legal basis of Western rights in Berlin, to reach agreement with the Soviets on a practical implementation of those rights. Lord Hood said this was not the official view of his Government but only one possibility of the situation. Mr. Hillenbrand asked whether it was fair to conclude from the German paper that an earlier German paper on the principles for a Berlin settlement (II WJQ/L.11) was intended not to apply to interim agreements but only to permanent ones. Mr. Pauls said the principles were intended to imply to any kind of agreement.

Mr. Pauls tabled a German paper (II WJQ/L.14) containing remarks on the U.S. proposal for a plebiscite on the peace treaty for Germany (II WJQ/L.1). He said the paper represented a German suggestion to complement the U.S. paper on this subject. The German Government considered the plebiscite idea to be a good and constructive one, especially as regards its potential effect on public opinion since it was probably the only new element which would be included in the Western position on Germany and Berlin. Accordingly, the

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By HCB NARA Date 7/24

CONFIDENTIAL

-5-

German paper was designed to fit in with the U.S. paper.

Mr. Pauls tabled a third paper (II WAG/L.5) containing German remarks on a comparison of the Japanese Peace Treaty with a possible separate peace treaty between the Soviet Union and the Soviet Occupation Zone which he said was intended to complement the U.S. paper on the same subject (II WAG/L.3). He suggested the two papers could be briefed into one and included in the Working Group's report as a background document or included in the paper on typical Soviet lines of attack and possible Western answers. Mr. Hillenbrand suggested that the U.S. plebiscite proposal be further discussed in the Working Group in order to ascertain if there was general agreement that it should be formally submitted to the Foreign Ministers as part of the Western position.

Lord Hood said he was in general agreement with the American paper on minimum requirements (II WAG/L.9). He noted that references to a free Berlin in the paper should be spelled out to indicate they meant free elections on the city.

Mr. Pauls directed the attention of the Group to the Khrushchev statement on Berlin in Indonesia, especially Khrushchev's remark about West Berlin coming under the control of East Germany which, if correctly reported, made the Soviet aim with regard to Berlin more explicit than ever. The statement had certain elements of a revival of a Soviet ultimatum. Though it contained no indication as to final Soviet negotiating tactics, it was clearly a part of the psychological softening-up process. The question was how should the West react to this type of treatment and what sort of psychological preparation should we launch. Mr. Hillenbrand said that the Group might well consider this question. The text of Khrushchev's remarks varied from version to version but he would appear to be coming close to an ultimatum. Lord Hood said that the difficult aspect of the situation lay in the fact that Khrushchev might be committing himself to this course through such statements and that we must face the results of this action. Lord Hood asked if the U.S. would attempt to see how its minimum requirements, once agreed on, could be met in fact. Mr. Hillenbrand said that we had no present intentions to do this in a specific sense but that certain general issues might be raised in the form of questions. Mr. Pauls said the German view was that minimum requirements should be viewed in terms of the Berlin situation as it really was. In general, the U.S. approach was felt to be somewhat theoretical because it, too, was not based on a specific status for Berlin.

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